

FACSIMILE COVER SHEET

**SALIWANCHIK, LLOYD & SALIWANCHIK**

A Professional Association  
2421 N.W. 41st Street  
Suite A-1  
Gainesville, FL 32606

Telephone (352) 375-8100  
Facsimile (352) 372-5800

**TO:** Examiner Chih-Min Kam **FROM:** David R. Saliwanchik  
**COMPANY:** U.S. Patent Office **DATE:** July 1, 2002  
Art Unit 1653  
**FAX NO.:** (703) 308-0294 **NO. OF PAGES**  
**(INCLUDING COVER SHEET):** 7

**SUBJECT/MESSAGE:**

Re: Serial No. 09/856,070; filed May 17, 2001

- 1) Election Under 35 U.S.C. §121 & Preliminary Amendment (6 pages)

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## TRANSACTION REPORT

JUL-01-2002 MON 05:10 PM

FOR: SALIWANCHIK, LLOYD &amp; SALIWA 352 372 5800

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Facsimile (352) 372-5800

**TO:** Examiner Chih-Min Kam **FROM:** David R. Saliwanchik  
**COMPANY:** U.S. Patent Office **DATE:** December 30, 2002  
Art Unit 1653  
**FAX NO.:** (703) 746-5038 **NO. OF PAGES**  
**(INCLUDING COVER SHEET):** 9

**SUBJECT/MESSAGE:**

Re: Serial No. 09/856,070; filed May 17, 2001

Dear Examiner Kam:

As you requested, attached is a copy of an Election/Preliminary Amendment that was submitted to the Patent Office on July 1, 2002. Also attached is a copy of our facsimile confirmation receipt.

- 1) Copy of Election Under 35 U.S.C. §121 & Preliminary Amendment dated July 1, 2002 (6 pages);
- 2) Copy of Transmittal Cover Sheet (1 page); and
- 3) Copy of our confirmation receipt of facsimile transmittal (1 page).

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below:

July 1, 2002

David Saliwanchik  
David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121  
Examining Group 1653  
Patent Application  
Docket No. GJE-67  
Serial No. 09/856,070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

07/01/02  
12/30/02  
CMK

Examiner	:	Chih-Min Kam, Ph.D.
Art Unit	:	1653
Applicants	:	Rupert Donald Holms
Serial No.	:	09/856,070
Conf. No.	:	3703
Filed	:	May 17, 2001
For	:	Regulatory/Unfolding Peptides of Ezrin

Assistant Commissioner for Patents  
Washington, D.C. 20231

ELECTION UNDER 35 USC §121 & PRELIMINARY AMENDMENT

Sir:

In response to the written restriction requirement dated May 31, 2002, the Applicant hereby elects to prosecute the Group I claims (*i.e.* claims 31-66), drawn to a molecule that binds to a portion of the Heparin receptor, and a method for upregulating the immune system comprising administering to a patient a molecule which binds to the Heparin receptor. The applicant further elects the amino acid SEQ ID NO. 19 as the specie to facilitate examination of this application.

Please amend the application as follows: